

deed being attached herewith as Exhibit "B" and prayed to be taken and made a part hereof, wherein the property in question is more particularly described.

THIRD: That the said Frank Fisher reportedly died intestate about fifty years previous to the execution of the aforesaid deed designated as Exhibit "A", according to the recitals set forth in said deed, and no estate of the said Frank Fisher was filed in the Orphans' Court of Frederick County, Maryland. Consequently, there is no record of the heirs of the said Frank Fisher who would have taken title to the property in question by inheritance.

FOURTH: That as alleged in paragraph FIRST of the Bill of Complaint, the purported heirs of the said Frank Fisher joined in the deed designated herein as Exhibit "A" to convey their interests as heirs of the said Frank Fisher in the property in question to the Complainants, but one purported heir of Frank Fisher, namely Levi Fisher, did not sign the said deed and thereby did not convey his interest to the Complainants; the said Levi Fisher subsequently died intestate without issue, and without an estate filed of record in Frederick County, leaving his brother James Fisher, one of the herein named Respondents, as his only known heir at law, and who presently lives on Big Woods Road in Ijamsville, Maryland.

FIFTH: That the Complainants have continuously possessed and held the property openly and notoriously, adverse to other's claims of possession and ownership, under a claim of right and have paid real estate taxes assessed on said property for over twenty (20) years.

SIXTH: That the Complainants have been unable to sell, convey, mortgage, alienate or otherwise transfer marketable fee simple title to the said property because of the cloud on the title created by their inability to ascertain all of the heirs of the said Frank Fisher who would have outstanding interests in the property in question.